

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

04 DEC - 3 2011 10

CLE:... 11-12

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM  
Section 7: Rito de Tierra Amarilla,  
Rio Brazos, Rutherford & Plaza Blanca,  
Cañones Creek, Village of Chama

**AFFIDAVIT FOR PUBLICATION**

EDWARD G. NEWVILLE, being duly sworn upon his oath, states:

1. He is plaintiff's counsel of record in the above-styled and numbered cause.  
2. He files this Affidavit for Publication pursuant to Rule 4(e)(1) of the Federal Rules of Civil Procedure and Rule 1-004(H) of the Rules of Civil Procedure for the District Courts of the State of New Mexico, for the purpose of obtaining service by publication upon the defendants listed in paragraph 3 herein.

3. The following named defendants in the above-styled and numbered cause reside out of the State of New Mexico, have gone out of the State of New Mexico, have concealed themselves within the State of New Mexico, have avoided service of process, their whereabouts cannot be discovered after due inquiry and search, or are so situated that process cannot be served upon them in the State of New Mexico:

Carlota L. Martinez Estate CHTA-002-0003

7676

Jose P. Gallegos Estate

CHTA-003-0037

Jose Vidal Ulibarri Estate

CHRU-003-0007, CHRU-004-0004

All unknown claimants of interest to surface waters for irrigation purposes in the Rito de Tierra Amarilla, Rio Brazos, Rutherford & Plaza Blanca, Cañones Creek, and Village of Chama subsections of the Rio Chama Stream System (Section 7).

4. Plaintiff is unaware of the appointment of a personal representative to either accept or waive service of process for the estate of the deceased persons listed in paragraph 3.

December 7, 2004

Edward G. Newville

EDWARD G. NEWVILLE  
Special Assistant Attorney General  
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STATE OF NEW MEXICO )  
                             ) ss.  
COUNTY OF SANDOVAL )

SUBSCRIBED AND SWORN to before me this 8<sup>th</sup> day of December, 2004.

My Commission Expires: 8.23.06

